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2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

17 May 2000

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Summary record of the 4th meeting
Held at Headquarters, New York, on Tuesday, 25 April 2000, at 3 p.m.

President:	Mr. Baali	(Algeria)
later:	Mr. Balboni Acqua	(Italy)
later:	Mr. Minty	(South Africa)

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The meeting was called to order at 3.10 p.m.

Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting Committee and the Credentials Committee

1. **The President** said that, in accordance with rule 5 of the rules of procedure, the Conference would elect two Vice-Chairmen for each of the three Main Committees, the Drafting Committee and the Credentials Committee. The following nominations had been received: Mr. Lint (Belgium) for the post of Vice-Chairman of Main Committee I; Mr. Suh Dae-won (Republic of Korea) for that of Vice-Chairman of Main Committee II; Mr. Dzundev (The former Yugoslav Republic of Macedonia) for the post of Vice-Chairman of Main Committee III; Ms. Aboulnaga (Egypt) for that of Vice-Chairman of the Drafting Committee; and Mr. Botnaru (Moldova) for the post of Vice-Chairman of the Credentials Committee.

2. *Mr. Lint (Belgium) was elected Vice-Chairman of Main Committee I; Mr. Suh Dae-won (Republic of Korea) was elected Vice-Chairman of Main Committee II; Mr. Dzundev (The former Yugoslav Republic of Macedonia) was elected Vice-Chairman of Main Committee III; Ms. Aboulnaga (Egypt) was elected Vice-Chairman of the Drafting Committee; and Mr. Botnaru (Moldova) was elected Vice-Chairman of the Credentials Committee.*

3. **The President** said that consultations on the outstanding nominations for the posts of Vice-Chairmen of the Committees were still continuing and that he would inform the Conference of those nominations at an appropriate time.

Election of Vice-Presidents

4. **The President** said that it was his understanding that the Conference wished to designate the delegation of Myanmar to provide one of the Vice-Presidents of the Conference.

5. *It was so decided.*

General debate (*continued*)

6. **Mr. Samhan** (United Arab Emirates) said that global political events had proved that the stability and security of States could not be achieved through the stockpiling of weapons of mass destruction, particularly nuclear weapons. Nuclear weapons not only posed a serious threat to humanity, but also had a very negative impact on economic and social development, and the environment. Despite the limited attempts by some nuclear-weapon States to reduce their stockpiles of nuclear weapons, the international community was still burdened by an arms race, particularly in prohibited weapons, including nuclear weapons. That situation had encouraged some countries in regions where tensions prevailed to conduct nuclear tests, stockpile fissile and nuclear materials, and acquire other non-conventional weapons as a means of deterrence.

7. As a result, there had been an escalation of tension and conflicts between those States, which constituted a direct threat to regional and international peace and security. His Government therefore called upon States to respect their obligations under the treaties prohibiting such weapons and urged States which had not yet done so to accede to the Treaty on the Non-Proliferation of Nuclear Weapons in order to achieve universality. It supported the proposals to establish subregional, regional and international arrangements to safeguard non-proliferation, including the establishment of an ad hoc committee of the Conference on Disarmament, so as to achieve the gradual elimination of nuclear weapons in accordance with article VI of the Treaty and also to conclude an unconditional instrument that would provide security safeguards for non-nuclear-weapon States.

8. Since 1995, there had been some positive developments, such as the accession of nine States to the Non-Proliferation Treaty, including the United Arab Emirates. His Government had taken that step on the basis of the 1995 "Resolution on the Middle East" and relevant General Assembly and Security Council resolutions which provided a legal basis for establishing a nuclear-weapon-free zone in the Middle East region. Israel was the only country in the region which had not yet acceded to the Treaty and still possessed nuclear weapons and other weapons of mass destruction. That situation caused a clear military imbalance in the region and posed a continuous threat to regional peace and security, undermining the credibility of the Treaty. His Government urged the Conference to call upon the Israeli Government to give up its nuclear arsenal and implement the "Resolution on the Middle East" and to submit all its nuclear facilities to the inspection regime of the International

Atomic Energy Agency (IAEA). It also called for an end to the provision of all forms of technological and scientific assistance in support of Israeli nuclear facilities.

9. Achieving a comprehensive and just peace in the Middle East and putting an end to occupation and tension in that region, particularly in the Arab gulf region, depended mainly on countries having the necessary political will to implement their obligations to eliminate prohibited weapons, including nuclear weapons, and to work to settle conflicts and end occupation in a peaceful manner, on the basis of the Charter of the United Nations and the provisions of international law, especially the principles of mutual respect for the sovereignty of regional States, peaceful coexistence, confidence-building measures, and renunciation of the use of force.

10. **Mr. Kharrazi** (Islamic Republic of Iran) said that despite the ever-growing call for nuclear disarmament, the qualitative development of nuclear weapons continued unabated and the nuclear-weapon States showed no sign of relenting. The Non-Proliferation Treaty, however, had never sought to perpetuate a permanent classification of some States as nuclear-weapon States. Since nuclear disarmament remained the ultimate goal of the Treaty, nuclear-weapon States had an international obligation to cease the manufacture of such weapons and eliminate all existing stockpiles and their means of delivery.

11. That obligation had been underlined by the International Court of Justice. The maintenance of nuclear arsenals increased the dangers of vertical and horizontal nuclear proliferation and the risks of accidental or deliberate nuclear attack. Since the international community had banned the use, development and stockpiling of two categories of weapons of mass destruction, nuclear weapons should not be exempted. Work should begin on an additional protocol to the Treaty to prohibit the use of nuclear weapons. The time had come to start negotiations on a nuclear weapons convention; the nuclear threat was global and its removal was a legitimate international concern.

12. There was enormous potential for the further diversification and development of the peaceful uses of nuclear energy. The systematic refusal to transfer nuclear technology to developing non-nuclear-weapon States parties to the Treaty and the restrictive export control policies exercised by the nuclear suppliers were therefore highly regrettable. Ad hoc regimes, acting under the pretext of non-proliferation, continued to pursue discriminatory policies with the main objective of exclusive possession of nuclear technology by developed countries. That situation must be rectified. The existence of those regimes undermined the credibility of the Treaty and of IAEA, and rendered the IAEA safeguards irrelevant. The problem was compounded by certain States, with an imperfect record on non-proliferation, which had arrogated the right to determine compliance by others and to take measures to prevent access to peaceful nuclear technology by States parties to the Treaty, even though the 1995 Conference had established the requirement that States parties which had concerns regarding non-compliance with the Safeguards Agreements must direct such concerns to IAEA.

13. The Treaty constituted an integrated whole, whose effectiveness lay in full compliance with all its provisions by all States parties. Continued failure by nuclear-weapon States to live up to their side of the bargain would render the regime unstable and untenable. The current Conference must take effective measures to guarantee the implementation of article IV in all its aspects, especially with regard to the transfer of technology, equipment and nuclear materials to developing States. It should make every effort to develop common approaches and generally agreed arrangements for international peaceful nuclear trade.

14. The horizontal and vertical proliferation of nuclear weapons had made security assurances all the more essential. Old bloc rivalries must be put aside. The preamble to the Non-Proliferation Treaty, the relevant Security Council resolutions and unilateral declarations by nuclear-weapon States were inadequate. Meanwhile, some nuclear-weapon States had tried to confine security assurances to nuclear-weapon-free zones or to place conditions on their obligations towards non-nuclear-weapon States. The Conference should strive to obtain more stringent and specific nuclear security assurances in the form of a legally binding international instrument. The Treaty could not be effective unless it achieved universality. Genuine and concerted efforts were required to attain that objective. The review process should provide for deliberations on ways to promote the universality of the Treaty, in particular, through the accession of States operating unsafeguarded nuclear facilities.

15. The threat posed to regional and international peace and security by Israel's clandestine nuclear-weapon programmes was a major impediment to achieving the goals of the Treaty. Despite its intransigence, Israel benefited from unrestricted transfer of nuclear technology, equipment and material, and was fully catered to by the self-appointed guardians of non-proliferation. It was imperative to build on the 1995 "Resolution on the Middle East" and explore ways to implement it. Israel should be forced to renounce nuclear weapons, accede to the Treaty and bring all its facilities and programmes under IAEA safeguards. Those who had helped Israel to develop such weapons had a special responsibility in that regard. Since the 1995 "Resolution on the Middle East" had been part of the package solution which had secured the indefinite extension of the Treaty, it was imperative to honour that collective commitment.

16. The 2000 Review Conference should also consider the implementation of the decision on "Strengthening the Review Process for the Treaty". In addition to the inherent institutional shortcomings of the review mechanism, lack of political will and accommodation, as well as a selective approach towards provisions of the Treaty by some nuclear-weapon States had contributed to the failure of the review process. In order to guarantee compliance by States parties and full implementation of the decisions of the Review Conference, a standing body should be established. The Conference could set up a study group to consider establishing such a mechanism and report to the next session of the Preparatory Commission.

17. Nuclear non-proliferation was at stake; it was not a time for complacency. Apathy towards the Treaty, half-hearted commitment to its objectives and selective compliance with its provisions would undermine its relevance and validity. The Treaty must be viewed and implemented in its totality; all its provisions were interrelated and mutually reinforcing. The Islamic Republic of Iran had forgone the nuclear weapon option and would remain committed to nuclear non-proliferation.

18. **Mr. Aboul Gheit** (Egypt) said that his delegation wished to associate itself with the statements made at the second meeting by the representative of Indonesia introducing the working paper of the Movement of Non-Aligned Countries and the representative of Mexico on behalf of the New Agenda Coalition. The 2000 Review Conference was the first opportunity to review the progress made towards implementation of the provisions of the Non-Proliferation Treaty since its indefinite extension in 1995 and towards implementation of the comprehensive package of commitments entered into by the States parties to the Treaty at the 1995 Conference. A review of those objectives would reflect more failure than success.

19. With respect to the decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", the goal of universal adherence to the Treaty had not been attained; the international community had failed to prevent the proliferation of nuclear weapons in South Asia; efforts to achieve the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) had been hindered by the refusal of the United States Senate to ratify it; and negotiations had yet to be initiated in the Conference on Disarmament on a convention banning the production of fissile material for nuclear weapons.

20. The decision on "Strengthening the Review Process for the Treaty" had set ambitious goals for review conferences and preparatory committee meetings. However, the Preparatory Committee for the 2000 Review Conference had failed to adopt any substantive recommendations. As to the "Resolution on the Middle East", Israel had yet to accede to the Treaty or place its nuclear facilities under full-scope International Atomic Energy Agency (IAEA) safeguards. The 1995 Conference had reaffirmed the importance of the strict implementation of the provisions of the Treaty relating to nuclear disarmament, and emphasized the need to set specific objectives to achieve that ultimate goal. His delegation welcomed the steps taken by some nuclear-weapon States to reduce their arsenals over the past five years and noted with satisfaction the recent approval for ratification by the Russian State Duma of the second Strategic Arms Reduction Treaty (START II).

21. However, those steps fell short of meeting the hopes and aspirations of States that had renounced the nuclear option. In order to promote efforts to achieve nuclear disarmament, the Egyptian President Hosni Mubarak had called for the convening of an international conference and the eight States of the New Agenda Coalition had issued a joint declaration urging the nuclear-weapon States to accelerate the disarmament process. In that connection his Government fully supported the proposal by the Secretary-General in his report "We the peoples: the

role of the United Nations in the twenty-first century" (A/54/2000) for the convening of a major international conference that would help to identify ways of eliminating nuclear dangers.

22. The absence of effective legally binding international security assurances to protect the non-nuclear-weapon States against the use or threat of use of nuclear weapons was a source of disappointment. Security Council resolution 984 (1995) had failed to respond to the legitimate demands of those States. His delegation believed that it was high time to initiate negotiations on an international legally binding instrument. The decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament" had reaffirmed the right of all States parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes and had emphasized that, in all activities designed to promote the peaceful uses of nuclear energy, preferential treatment should be given to the non-nuclear-weapon States party to the Treaty.

23. The decision also called for increased transparency in nuclear-related export controls. Yet the non-nuclear-weapon States continued to face obstacles in their efforts to gain access to nuclear technology and know-how. His delegation urged the elimination of all constraints that prevented the full realization by States parties of their rights under article IV of the Treaty. In that connection, it considered that States parties should be legally obliged to apply IAEA safeguards as a precondition for the transfer to them of nuclear technology or materials. Also, decisive measures must be taken to protect peaceful nations from the threat of nuclear leaks from reactors not subject to international supervision.

24. With regard to the situation in the Middle East, Egypt had put forward many proposals with a view to overcoming the current impasse, including the initiation of regional negotiations on the establishment of a nuclear-weapon-free zone in the Middle East, the declaration by the States of the region of their commitment to adhere within a specified time-frame to the international instruments on nuclear non-proliferation and the prohibition of chemical and biological weapons, and the implementation of confidence-building measures in the nuclear field. Regrettably, Israel had failed to respond to those proposals. That state of affairs could not be allowed to continue. The non-proliferation Treaty would have no credibility in the region as long as one State was exempt from its provisions.

25. The 2000 Review Conference must demand that Israel should accede to the Treaty without further delay and place its nuclear facilities under IAEA safeguards. It must adopt clear recommendations for achieving the full implementation of the "Resolution on the Middle East". There was a need to consider the establishment of a mechanism to monitor progress in that area. His delegation believed that the nuclear-weapon States and, in particular, the States depositaries of the Treaty, as sponsors of the resolution, had a special responsibility concerning the realization of its objectives. The "Resolution on the Middle East" was an integral part of the package of commitments entered into at the 1995 Conference. Those commitments were not open to negotiation. If the situation in the Middle East was not given due regard on the pretext that to do so would burden the Conference, the credibility of the Treaty and the whole non-proliferation regime would be undermined.

26. With respect to the outcome of the Conference, he said that it was necessary to build on what had been achieved in 1995, to set new goals for the period leading up to the 2005 Conference, and to adopt recommendations for their attainment. There should be a particular focus on achieving the Treaty's universality and the strict implementation of its provisions. The participants must also consider how to improve the Preparatory Committee's working methods and how to make use of the subsidiary bodies established. Regarding the final document, the proposal to deal separately with those questions on which there was broad agreement and those issues on which consensus would be harder to obtain was unacceptable.

27. It was incumbent on the States parties to the Treaty to take advantage of the current favourable international climate in order to build a more stable and secure international order. The danger of nuclear weapons and other weapons of mass destruction threatened the whole of mankind. Therefore, all members of the international community must participate on an equal footing in the establishment of mechanisms and frameworks to eliminate that danger.

28. *Mr. Balboni Acqua (Italy), Vice President, took the Chair.*

29. **Mr. Reyes** (Colombia) said that Colombia had been a party to the Treaty from the outset and, along

with most of the Latin American countries, had agreed, through the Treaty of Tlatelolco, to establish a nuclear-weapon-free zone in Latin America. Colombia was convinced of the need to strengthen the Treaty on the Non-Proliferation of Nuclear Weapons and to achieve universality. His Government also attached great importance to the package of decisions adopted in 1995, including the "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", some of which remained unfulfilled, and the decision on "Strengthening the Review Process for the Treaty", which was essential to the continued validity of the Treaty.

30. The non-proliferation regime must be strengthened and made more efficient. There should be no fear of new constructive proposals to that end, and no efforts should be spared in considering possible actions which could dissipate a dangerous feeling of frustration among some States parties. There was a need to take up substantive issues from a broad viewpoint, as well as the procedural reforms that were necessary to avoid the failures of the past. Since the 1995 Conference, various States had acceded to the Treaty, including Brazil and Chile; elsewhere, the results had been less encouraging; the nuclear explosions carried out in South East Asia posed a major challenge. Although the States parties to the Treaty could not accept the existence of new self-declared nuclear Powers, they could not ignore that situation, and the Conference should consider ways of dealing with it.

31. With regard to the situation in the Middle East, the international community should maintain pressure on the only State in the region which was not a party to the Treaty to agree to place its nuclear facilities under IAEA safeguards as a contribution to confidence-building and the non-proliferation regime, and to regional and world peace. His Government welcomed the recent ratification of the START II Treaty by the Russian Federation. Much remained to be done in the sphere of nuclear disarmament, however, and the danger of nuclear war still existed, as well as the possibility of total destruction.

32. Although a reduction in the number of nuclear weapons was a step in the right direction, more decisive action was needed on the part of the nuclear-weapon States to establish a programme that would lead to their total elimination. In that respect, his delegation fully supported the proposals made on the previous day by Mexico. It also urged the States with the greatest nuclear capacity to begin negotiations straightaway on START III, a process in which the other nuclear-weapon States should be involved at some stage.

33. Colombia commended the States which had ratified the Comprehensive Nuclear-Test-Ban Treaty, particularly the three nuclear-weapon States. It had signed that Treaty and was completing the ratification process. His country believed that it was urgent for negotiations to begin on the principles and objectives for nuclear non-proliferation and disarmament, on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons, and on a legally binding international agreement on security guarantees for non-nuclear-weapon States.

34. Colombia, which had never had aspirations in the sphere of nuclear weapons, attached great importance to cooperation in the peaceful uses of nuclear energy. The cooperation promised in that sphere had been very deficient, and concrete measures must be taken to correct that situation. Consideration should be given to the possibility of holding a special conference of the parties devoted exclusively to the promotion of cooperation in the peaceful uses of nuclear energy.

35. The debate on the Treaty and the nuclear disarmament process had underscored the gap between the rhetoric on international security and the rest of the multilateral agenda. Just as in other areas of that agenda, the promotion of human rights, respect for international humanitarian law and also the new concept of human security must be incorporated into international security. In 1995, the non-nuclear-weapon States parties to the NPT had accepted the indefinite extension of the Treaty, but not the indefinite continuation of a situation in which some States could have nuclear weapons and others could not. It was a matter of priority for the Conference to produce a plan of action with specific measures for nuclear disarmament, which should be implemented over the next five years.

36. **Mr. Shobokshi** (Saudi Arabia) said that the maintenance of international peace and security was one of the foremost objectives of the United Nations. In accordance with the Charter, Member States undertook to settle their international disputes by peaceful means and to refrain in international relations

from the threat or use of force. The conclusion of the Treaty had been an international effort to reduce that threat by limiting nuclear proliferation and, ultimately, eliminating nuclear weapons. The 2000 Review Conference was an opportunity to conduct an objective evaluation of the progress made towards those goals and to identify the areas in which, and the means through which, further progress should be sought in the future.

37. Despite some positive developments, particularly the indefinite extension of the Treaty, the world was further than ever from achieving its principles and objectives. The States parties to the Treaty had been unable to halt the horizontal and vertical proliferation of nuclear weapons or to establish a fair balance of commitments and responsibilities between the nuclear-weapon States on the one hand and the non-nuclear-weapon States on the other. The retention by the nuclear Powers of large arsenals had served as a pretext for other States to conduct their own nuclear tests. The nuclear-weapon States must be reminded of their responsibility to avoid actions that encouraged non-nuclear-weapon States to acquire, manufacture or stockpile nuclear weapons.

38. The Security Council Summit Meeting on 31 January 1992 had declared that the proliferation of all weapons of mass destruction constituted a threat to international peace and security. While Council resolution 984 (1995) and the statements made at that time by each of the nuclear-weapon States could be considered as initial steps in that direction, an internationally negotiated, unconditional and legally binding document was needed to guarantee that non-nuclear States would not be subjected to nuclear attacks.

39. The international community must summon the political will to strengthen the non-proliferation regime, reduce the political and strategic importance of nuclear weapons in international relations and implement existing treaties that provided for disarmament and the reduction of nuclear stockpiles. The agreement to extend the Non-Proliferation Treaty indefinitely would not have been possible without the adoption by the 1995 Review and Extension Conference of a number of Resolutions, including the "Resolution on the Middle East". Since then, however, serious efforts had been made to weaken and prevent the implementation of the Resolution. In order to be successful therefore, the 2000 Conference should review all of the issues that had been agreed upon in 1995.

40. Saudi Arabia supported all efforts being made to eliminate weapons of mass destruction, including nuclear weapons in the Middle East. The Arab League's efforts to prepare a draft treaty aimed at establishing a nuclear-weapon-free zone in the Middle East were evidence of the serious commitment of the Arab States, all of which had ratified the Non-Proliferation Treaty. Those actions, however, did not guarantee the safety of the Arab States, given the continuing Israeli nuclear threat and that State's defiance of international law, including resolutions adopted by the General Assembly and IAEA. In order to achieve stable and balanced peace in the Middle East, Israel must eliminate its arsenal of nuclear weapons, accede to the Non-Proliferation Treaty and subject its nuclear facilities to international safeguards.

41. Israel continued to disregard the appeals of the United Nations, IAEA, the Movement of Non-Aligned Countries and the Organization of the Islamic Conference to desist from producing, experimenting with or stockpiling nuclear weapons. It was the only State in the Middle East which refused to subject its nuclear and chemical weapons to IAEA inspections safeguards. Israel's position and all its justifications for that position clearly contradicted its calls for peace; which must be based on trust and good will. Double standards towards Israel would not persuade it to do what was necessary in order to advance the Middle East peace process.

42. Saudi Arabia's commitment to nuclear disarmament was reflected in its refusal to produce, deploy or stockpile such weapons; its active involvement in the 1995 Conference; its participation in the Executive Council of the Organization for the Prohibition of Chemical Weapons; and its accession to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. He commended the constructive and crucial role of IAEA and its safety system in the implementation of the Non-Proliferation Treaty; his delegation would support all efforts to enhance their effectiveness.

43. The current Conference must take an integral approach to international security. The final document should put forward a vision of the future based on lessons learned from the past, stress the need to achieve

international consensus, urge all States to become parties to the Non-Proliferation Treaty, and call for the elimination of all weapons of mass destruction in the Middle East. The final document should also include a reaffirmation of the Treaty obligation to avoid nuclear war and of the nuclear-weapon States' commitment to make every effort to stop the nuclear arms race and reduce their arsenals as a first step towards complete and total nuclear disarmament. Such action required transparency on the part of the nuclear-weapon States.

44. **Mr. Bellina** (Peru), speaking on behalf of the States members of the Andean Community, said that the problem of nuclear proliferation could either be viewed as the horizontal spread of nuclear weapons or defined in terms of both vertical and horizontal proliferation. The former was seen mainly in the developing world and its solution lay in the adoption of technical measures, such as restrictions on the transfer of equipment and technology. The latter involved not only a larger number of nuclear-weapon States but also an increase in their arsenals. The solution to that problem was essentially political.

45. The 2000 Review Conference must clearly establish that there was no reason to believe that the indefinite maintenance of nuclear weapons could be justified. What had been extended indefinitely in 1995 had been the Treaty and not the right to keep nuclear arsenals forever. It should not be forgotten that the Treaty itself imposed a contractual obligation on all its parties to progress towards general and complete disarmament. For the non-proliferation regime to be truly effective, those States that had not yet signed it, in particular, those with some nuclear capacity, should do so as speedily as possible. In that connection, the Andean Community welcomed the accession of Brazil and Chile to the Treaty.

46. The non-proliferation regime also provided for the right of States to receive the benefits of the peaceful uses of nuclear energy. Innovative approaches must therefore be adopted to permit both those groups that opposed the transfer of nuclear technologies to developing countries and those that rejected the arguments put forward by the technologically advanced countries to participate in decision-making. IAEA had an important role to play in that area and the 2000 Conference must take steps to reinforce the Agency's capacity to do so.

47. The region of Latin America and the Caribbean, which was the first populated region of the globe to have been declared a nuclear-weapon-free zone, firmly believed in the importance of such zones as a means of strengthening international peace and security. The entire southern hemisphere should be made into a nuclear-weapon-free zone by linking the existing zones that had been created by the Antarctic, Tlatelolco, Rarotonga, Pelindaba and Bangkok Treaties. Protecting non-nuclear-weapon States from the threat or use of nuclear weapons against them was another of the goals of the Non-Proliferation Treaty. Reaffirmation of that commitment by the nuclear-weapon States in the form of both positive and negative security assurances would facilitate the acceptance of the Treaty by States that were not yet parties. The early entry into force of the Comprehensive Nuclear-Test-Ban Treaty was also important in that regard.

48. The Non-Proliferation Treaty could not be seen as the establishment of an international order based on the entitlement of a small group of States to possess nuclear weapons in perpetuity while the large majority of States lacked that right. In that connection, the member States of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) had recently issued the Lima Appeal calling for the creation of greater international public awareness in order to advance in every field of action towards a complete prohibition of the use and manufacture of nuclear weapons and other weapons of mass destruction. The members of the Andean Community hoped that the results of the 2000 Review Conference would include practical measures that must be taken by all parties to the Non-Proliferation Treaty during the next five years, particularly with regard to article VI.

49. *Mr. Minty (South Africa), Vice-President, took the Chair.*

50. **Mr. Hasmy** (Malaysia) recalled that when the States parties to the Non-Proliferation Treaty had agreed at the 1995 Conference to extend the Treaty indefinitely, the nuclear-weapon States parties had reaffirmed their commitment to pursue in good faith negotiations aimed at reducing and ultimately eliminating nuclear weapons under strict and effective international control. A number of delegations, however, had had reservations about the wisdom of extending the Treaty indefinitely. Given the dismal record of nuclear disarmament during the period under

review, Malaysia continued to believe that by indefinitely extending the Treaty the international community had lost the only leverage that it had had with the nuclear-weapon States parties, which had no further incentive to make serious efforts towards the goal of reducing and eliminating their nuclear arsenals. The self-serving national interests of the nuclear-weapon States parties had taken control of the process at the expense of the larger interests of the international community.

51. Pursuant to the decision of the 1995 Conference to strengthen the review process for the Treaty, the 2000 Conference should undertake an objective and candid analysis of the achievements and failures of the previous five years and prepare a road map for the following five years. An analysis of the performance of States parties would reveal more negative than positive developments. On the positive side, the Comprehensive Nuclear-Test-Ban Treaty represented a major achievement, even though a number of ratifications were still required for its entry into force. The recent decision by the Russian Federation to ratify the Treaty had made a positive contribution towards that goal. The earlier decision by the United States Senate not to ratify the Treaty, however, had been a disappointment, especially since the international community had looked to the United States for leadership on that important matter.

52. His delegation also welcomed the progress made in the Strategic Arms Reduction Treaty (START) process and, in particular, the ratification of START II by the Russian Federation. However, the linkage that was being established between the Anti-Ballistic Missile Treaty and the beginning of the START III process gave cause for concern, in view of the destabilizing effect which the deployment of an anti-ballistic missile defence system would have. Malaysia therefore urged the United States of America to reconsider its intention to develop and deploy such a system. The other nuclear-weapon States should also join in that process.

53. His delegation also welcomed the establishment of nuclear-weapon-free zones in Africa and South-East Asia, which, together with similar zones in the South Pacific and South America, would form contiguous nuclear-weapon-free zones spanning the southern hemisphere. There had also been encouraging progress towards the creation of a Central Asian nuclear-weapon-free zone and acceptance of the innovative concept of a single-State nuclear-weapon-free zone, which had been advanced by Mongolia. The equally innovative proposal by Belarus for a nuclear-weapon-free corridor also merited serious consideration as part of a concerted global effort towards nuclear disarmament. Malaysia looked forward to the establishment of other nuclear-weapon-free zones in other regions, including the Middle East and South Asia.

54. The period under review, however, had also witnessed a number of negative and disturbing developments. The nuclear-weapon States had failed to fulfil with determination the undertakings in the field of nuclear disarmament set out in the Non-Proliferation Treaty. Indeed, no serious efforts had been made on the multilateral disarmament track and only half-hearted efforts had been made on the bilateral track. No serious effort had been made either to secure at the earliest possible date the accession of non-States parties to the Treaty. Instead, the period had seen the emergence of two more or less declared nuclear-weapon Powers in South Asia. While nine new States had acceded to the Treaty, four others, three of which had nuclear-weapon options and operated unsafeguarded nuclear facilities, remained outside of the Treaty regime. Malaysia reiterated its call for the establishment of a high-level consultation mechanism to promote the universality of the Treaty.

55. Far from preventing the proliferation of nuclear weapons and other nuclear explosive devices, the period under review had witnessed the explosion of nuclear devices by the above-mentioned non-States parties, which had conducted a series of tests in order to attain the status of nuclear Powers, with serious implications for regional and international security. Also, contrary to the stated objective of decision 2 of the 1995 Conference, there had been no immediate commencement and early conclusion of negotiations on a convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices. The current Review Conference should therefore make an unambiguous pronouncement on the matter.

56. The agreements entered into at the 1995 Conference had not been fully honoured. While some small progress had been achieved during the previous decade towards reducing the total number of nuclear weapons deployed by the nuclear-weapon States, the latter had reasserted their full commitment to the dangerous and outmoded doctrine of nuclear deterrence

as a cornerstone of their defence and security policies. In the mistaken belief that the possession of nuclear weapons increased their security, they continued to ignore the advisory opinion of the International Court of Justice to pursue in good faith and conclude negotiations leading to nuclear disarmament under strict and effective international control. The Conference on Disarmament continued to be in a state of limbo as demonstrated by its inability to constitute a working group on nuclear disarmament and commence negotiations on a fissile material cut-off convention. In addition, new players had emerged in the deadly game of nuclear armaments, with all its ramifications for regional and global security.

57. It was worthwhile recalling the advisory opinion of the International Court of Justice that the use of nuclear weapons seemed scarcely reconcilable with the provisions of humanitarian law protecting civilians and combatants from unnecessary and indiscriminate effects of warfare. Indeed, the President of the Court had stated that with nuclear weapons humanity was living on a kind of suspended sentence, subjecting itself to a perverse and unremitting nuclear blackmail. Each year since 1996, Malaysia had sponsored a resolution in the First Committee and the General Assembly that drew attention to the unanimous opinion of the Court.

58. The Non-Proliferation Treaty was at a crossroads and the goodwill and patience of the non-nuclear-weapon States were being put under severe strain by the lack of political will on the part of the nuclear-weapon States to fulfil their part of the bargain. Without a serious change of attitude on the part of the nuclear-weapon States, the objectives of nuclear non-proliferation and the Treaty itself risked serious erosion. Many of the ideas on how to propel the disarmament process forward deserved serious consideration.

59. What was really required, however, was for the international community to work towards a comprehensive and legally binding international instrument that would prohibit the development, testing, deployment, stockpiling, threat or use of nuclear weapons and ensure their destruction under effective international control. In that connection, the Model Nuclear Weapons Convention, which had been in circulation since 1997, deserved serious consideration. Notwithstanding its disappointment at the lack of tangible progress in the implementation of the Non-Proliferation Treaty following its indefinite extension, in concert with other States parties, Malaysia would continue to work towards the full realization of its provisions.

60. **Mr. Dorda** (Libyan Arab Jamahiriya) supported the Secretary-General's appeal in his millennium report (A/54/2000, para. 252) for a reaffirmation of political commitment to reducing the dangers from existing nuclear weapons and from further proliferation, and noted from the report (ibid., para. 248) that, despite the passing of the balance of nuclear terror into history, some 35,000 nuclear weapons remained in the arsenals of the nuclear Powers, with thousands still deployed on hair-trigger alert. Clearly, no tangible progress towards nuclear disarmament had been achieved. The non-proliferation regime could not continue unless the nuclear-weapon States gave evidence that they were fully committed to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the gradual elimination of nuclear weapons.

61. He welcomed some positive developments since the holding of the 1995 Review and Extension Conference. They included the advisory opinion of the International Court of Justice of July 1996 on the legality of the threat or use of nuclear weapons (see General Assembly resolution 54/54 Q); the adoption of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) by General Assembly resolution 50/245; and the recent ratification by the Russian Federation of the Treaty on the Reduction and Limitation of Strategic Offensive Arms of 1991 (START II) and the CTBT.

62. There had been some negative developments, however. They included the United States Senate's rejection of ratification of the CTBT; that country's consideration of the feasibility of developing a nuclear-missile-defence system ("Star Wars"); and the adoption by NATO of the strategic concept that nuclear weapons were the only means of keeping the peace, which had been countered by the Russian Federation's declaration that nuclear weapons were an important element of national security.

63. By assisting Israel in developing weapons of mass destruction, Washington employed double standards, since it imposed punitive sanctions on some States even though they had opened their nuclear facilities to inspection by the International Atomic Energy Agency (IAEA), and blackmailed another State, trying to prevent its acquisition of nuclear technology

for peaceful purposes even though that State was a party to the NPT.

64. Israel's development of nuclear weapons threatened an entire region, ranging from the Western Mediterranean to India. While all the Arab States were parties to the Treaty, Tel Aviv refused to accede to it and ignored the international community's call to transform the Middle East into a nuclear-free zone. Encouraged by a super-Power, Israel, by pursuing its nuclear programme and rejecting the NPT, constituted a serious threat to international peace and security and undermined the credibility of the Treaty regime.

65. Some other recent developments were a further cause for concern. One European State had provided Israel with three submarines capable of deploying nuclear weapons, while another had negotiated with Israel secretly to sell it nuclear reactors despite Israel's refusal to put its nuclear facilities under IAEA supervision. Furthermore, the United States had lifted its restriction on Israeli scientists conducting nuclear research in its laboratories. Such developments cast doubt on the seriousness of some States parties to the Treaty in their call for universal accession. Furthermore, one super-Power resisted all efforts to induce Israel to accede to the Treaty, while Israel opposed all United Nations resolutions calling for a nuclear-weapon-free zone in the Middle East.

66. With the exception of Israel, all States in the Middle East were parties to the Treaty. The Libyan Arab Jamahiriya therefore called upon the Conference to stress that Israel must accede to the Treaty, without conditions or delay, and must place all its nuclear facilities under IAEA supervision; to ensure that the nuclear-weapon States undertook, under article I of the Treaty, not to transfer nuclear weapons or devices or means of control, directly or indirectly, to Israel, and not to encourage it to manufacture or acquire nuclear weapons or other nuclear explosive devices; to stress the commitment to prohibit the transfer of all nuclear equipment and expertise to Israel until it placed its nuclear facilities under IAEA supervision; to call for the speedy transformation of the Middle East into a nuclear-weapons-free zone; and to establish a subsidiary body of the Second Committee of the Conference to review the "Resolution on the Middle East" adopted by the 1995 Conference and to put forward recommendations for its implementation.

67. Since the universality of the Treaty was vital to its continued viability, the Libyan Arab Jamahiriya welcomed the recent accessions to the Treaty and called upon all States which had not yet acceded to it to do so without delay. The Conference should adopt a number of measures for the non-proliferation and reduction of nuclear weapons. It should stress the importance of the undertakings laid down in the ninth to the twelfth preambular paragraphs and in articles I and VI of the Treaty; draw the attention of the nuclear-weapon States parties to their obligation to implement the Treaty fully, and to refrain from any form of nuclear partnership among themselves or with non-nuclear-weapon States in the framework of any regional security arrangements; institute a comprehensive ban on nuclear weapons, equipment and know-how and stress the need for the provision of assistance in the peaceful use of nuclear energy to all parties to the Treaty; reaffirm the importance of reversing the nuclear-arms race and eliminating all nuclear weapons within a specified time-frame; and reaffirm that priority in disarmament negotiations should be given to nuclear disarmament.

68. In addition, the Conference should invite the nuclear-weapon States to negotiate on urgent measures to halt the nuclear-arms race; implement the unanimous advisory opinion of the International Court of Justice regarding the obligation to pursue negotiations leading to nuclear disarmament in all its aspects under strict international control; call upon the Conference on Disarmament to establish an ad hoc committee for nuclear disarmament, taking into account all proposals of the Group of 21 submitted to that Conference; and to start negotiations on a programme of nuclear disarmament with a view to their elimination within a specified time, including an agreement on prohibition of the development, acquisition, storage and use of or threat to use such weapons.

69. The Review Conference should also call upon the Conference on Disarmament to negotiate, within the ad hoc committee, the early adoption of a treaty prohibiting the production of fissile material for nuclear weapons; and stress the importance of setting up a body subsidiary to the First Committee of the 2000 Conference to review practical steps to eliminate nuclear weapons. On the question of security safeguards, he called on the Conference on Disarmament to re-establish the body on negative security safeguards, and stressed the need for a treaty

among nuclear-weapon States to guarantee that they would not resort to the threat or use of nuclear weapons against non-nuclear-weapon States. All States, including States not party to the Treaty, should subject all their nuclear facilities to IAEA supervision.

70. There was a need to emphasize the commitment to the full implementation of article IV of the Treaty, concerning cooperation in the peaceful uses of nuclear energy as an important contribution to development. To that end, the Review Conference should emphasize the right of States to continue the application of nuclear technology, with a guarantee of its transfer without discrimination; eliminate the prohibition imposed by certain countries on the transfer of nuclear technology for peaceful purposes on the pretext that it could be used for chemical weapons; and reaffirm the responsibility of the nuclear States parties to support the legitimate need of other States parties for nuclear energy, especially developing countries, and also reaffirm that any threat against peaceful nuclear facilities posed a serious danger and must be prohibited.

71. In conclusion, he called upon the Conference to adopt recommendations for an end to the nuclear-missile state of alert, the withdrawal of nuclear missiles deployed in foreign countries, the commencement of negotiations on a treaty to eliminate nuclear weapons and an end to double standards with regard to nuclear weapons, and the allocation of funds resulting from nuclear disarmament for improving the living standards of the poorer countries.

72. **Mr. Staehelin** (Switzerland) noted an imbalance between the active implementation of articles II and III of the Treaty and the relative lack of progress under article VI. The 1995 extension must not be construed as an indefinite extension of the status quo, particularly with regard to the prerogatives of the nuclear-weapon States and their obligations under article VI. The imbalance jeopardized the very bases for concluding, and later extending, the Non-Proliferation Treaty: the reciprocal commitment to non-proliferation by the vast majority of States parties and to disarmament by the nuclear-weapon States, the adoption of the Principles and Objectives for Nuclear Non-Proliferation and Disarmament and the resolution on the Middle East and the establishment of a strengthened review process.

73. The lack of progress indicated that the strengthened review process had not been fully effective and that the Preparatory Committee had been unable to achieve its main objective of formulating recommendations on the application and universality of the Treaties. Perhaps the functioning of the strengthened review process and the role of the Preparatory Committee should be reconsidered in order to bring about effective implementation of the Treaty. Conference documents should include a review of the application of the Treaty and the Principles and Objectives since the 1995 Conference and a new package of reaffirmed principles and updated objectives to supplement the 1995 documents, which should be adopted by consensus.

74. Reaffirmation of the fundamental compromise — the link between disarmament and non-proliferation and the link between the Treaty's extension and the adoption of the Principles and Objectives in 1995 — should be the starting point for revitalizing the review process. The new objectives should include measures to redress the negative developments of recent years, possibly in the form of a new plan of action with a view to measuring the progress achieved at the sessions of the Preparatory Committee and at review conferences. His delegation would be submitting a working paper on such a plan, which should include confidence-building measures and information that would increase the transparency of efforts undertaken to implement the Principles and Objectives, particularly by the nuclear-weapon States.

75. The plan of action should provide for further systematic reductions in nuclear weapons, including unilateral reductions, on the basis of article VI. In that regard, the United States and the Russian Federation had a special responsibility; and reductions by those States would set an example for nuclear-weapon States which were not parties to the Treaty. The plan should also provide for the elimination of warheads and the application of IAEA safeguards to fissile materials; the inclusion of tactical nuclear weapons in formal disarmament processes; and a moratorium on nuclear testing pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

76. Laboratory tests conducted for the purpose of developing new weapons should be considered incompatible with the preamble of the Test-Ban Treaty. In addition, pending the start of negotiations within the Conference on Disarmament on a treaty banning the production of fissile material for nuclear explosive purposes, all States should adopt transparency

measures and declare a moratorium in that field. The Conference on Disarmament must intensify its efforts in the area of security assurances. Lastly, referring to the tests conducted by India and Pakistan and the situation in the Middle East and other regions, he urged parties to the Non-Proliferation Treaty to be more aware of the regional aspects of non-proliferation.

77. **Mr. Hoffmann** (Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization) said that only the signature and ratification of the Treaty by as many countries as possible and a worldwide verification system would guarantee the successful implementation of the Comprehensive Nuclear-Test-Ban Treaty. Thus far, 28 of the 44 States listed in Annex 2 to the Treaty had ratified it, including two nuclear-weapon States — France and the United Kingdom. Two other States Signatories, Chile and the Russian Federation, were completing parliamentary procedures for ratification.

78. Membership and ratification had been the focus of the first Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, held in Vienna in October 1999. The Conference had reaffirmed the importance of the Treaty and had stressed that unilateral moratoriums on testing were no substitute for a binding international legal instrument such as the Comprehensive Test-Ban Treaty. It had also considered measures to accelerate the ratification process in order to facilitate the Treaty's early entry into force.

79. The Treaty's global verification regime included an International Monitoring System; consultation and clarification; on-site inspections; and confidence-building measures. Since the global verification regime was to be capable of functioning upon the Treaty's entry into force, one of the Preparatory Commission's main tasks was to enhance the International Monitoring System's worldwide network of seismological, infrasound, hydroacoustic and radionuclide stations. The System would be capable of registering vibrations under ground, in the sea and in the air, and of detecting traces of radionuclides released into the atmosphere by nuclear explosions.

80. The data gathered by the stations would be relayed via satellite to the International Data Centre in Vienna and would then be available to States signatories. The budgetary appropriation of US$ 92.1 million for capital investment from 1997 to 2000 represented approximately 43 per cent of the total amount required to complete the network. The International Data Centre, the nerve centre of the verification system, was capable of transmitting bulletins, data from the International Monitoring System and additional information to States signatories seven days a week.

81. The Preparatory Commission was also laying the groundwork for on-site inspections by developing an operational manual and specifications for equipment to be used at the International Monitoring System stations; a passive seismic system for aftershock detection would be received shortly for testing and training. At the invitation of the Government of Kazakhstan, a field experiment simulating aspects of an on-site inspection following a chemical explosion had been conducted in that country in October 1999.

82. The Preparatory Commission had already organized two international cooperation workshops in Vienna and Cairo; and two more were scheduled to be held in Beijing and Lima. The Commission enjoyed the active support and participation of the Treaty's States signatories. In conclusion, he called on all States participating in the current Review Conference to support and contribute to the preparations for the Test-Ban Treaty's entry into force.

The meeting rose at 6.20 p.m.